

Application Serial No. 10/524,498
Reply to Office Action of January 11, 2008

MAR 26 2008
PATENT
Docket: CU-4061

REMARKS

In the Office Action, dated January 11, 2008, the Examiner states that Claims 1-15 are pending and Claims 1-15 are rejected. By the present Amendment, Applicant amends independent Claim 1 and cancels Claims 12-15.

In the Office Action, Claims 1-5 and 7-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Cameron (U.S. 5,388,313) in view of Wong (U.S. 6,305,586). Claims 1-4 and 6-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Cameron in view of Willinger (U.S. 6,306,329).

The Applicant has cancelled Claims 12-15 and has incorporated the features into independent Claim 1. With respect to the rejection in the Office Action, the Applicant respectfully disagrees with and transverses the rejections.

With respect to the reference Cameron, the Applicant disagrees the reference discloses that the hard synthetic material is polycarbonate. In column 4, line 13-22 of Cameron, it is merely disclosed that the clip assembly may be formed of any suitable material formed by injection molding of plastic or a similar process so that there are only two separate parts in the final assembly. A specific material, which is capable for the construction of a two-component injection molded member, is not at all disclosed, and furthermore, it is not rendered obvious. Therefore, the Applicant believes the obviousness rejections based on Cameron are inappropriate.

Furthermore, the Applicant disagrees that Willinger discloses a two-component injection molded piece and teaches a thermoplastic elastomer being provided as the material of lower hardness. Specifically, Willinger at column 3, line 40 discloses that the clip 38 is molded from a first plastic material such as styrene type plastic. The pad 52, 56 is preferably simultaneously co-molded with each clip and support bar with a second plastic material such as olefin type plastic. Willinger does not disclose a two-component injection molded piece, and in fact, the reference teaches away from it. Specifically, in column 3, line 44, it is disclosed that "[b]y using this selection of plastic materials, the pads 52, 56 will not fuse or bond with the clips 38. However, olefin and styrene plastics will flow with respect to one another and can therefore be simultaneously molded as separable components. It should be appreciated that other combinations of plastic materials could also be used such as PVC or K Resin and others. Since olefin and styrene plastics do not fuse or bond when co-molded, a supplemental connection in the form of a mechanical interlock is

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provided by nibs 42." Accordingly, Willinger teaches away from the claimed two-component injection molded piece where the component of lower hardness consisting of thermoplastic elastomer and the clamping parts consisting of polycarbonate will fuse such that the two components are non-detachable from each other. In contrast to the present invention, Willinger discloses a mechanical interlock between pads 52, 56 of lower hardness and clips 38. Thus, the claimed pacifier strap clip comprising a two-component injection molded member consisting of specific materials which will fuse to each other such that they are non-detachable from each other is not obvious in view of the cited references.

Moreover, the Applicant asserts that a two-component injection molded member is not merely a specific method of forming the device. A two-component injection molded member is distinguishable from other products which are interconnected by other mechanical or adhesive means. If a two-component injection molded member is not novel, then no other connections between two parts would be germane to the issue of patentability. A two-component injection molded member is clearly distinguishable from members where two components are interconnected by a different means, and therefore, the claimed feature has patentable weight.

In light of the foregoing response, all the outstanding rejections are considered overcome. Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

Respectfully submitted,



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Date

Attorney for Applicant
Julie L. Langdon
c/o Ladas & Parry LLP
224 South Michigan Avenue
Chicago, Illinois 60604
(312) 427-1300
Reg. No. 59001